Nicole E. Childress
1038 Trifecta Dr.
Florissant, MO 63034
September 22, 2015

Margaret Garbicz
Claims Examiner
Sedgwick Claims
PO Box 14439
Lexington, KY 40512

DEFENDANT'S EXHIBIT
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Re: Walgreens Store
Claim # 30131505876-0001
Date of Loss 12/19/2013

Dear Margaret Garbicz:

On the evening of **December 19, 2013** I was severely injured by slipping and falling in your store located at 15390 Halls Ferry Rd. Saint Louis, MO 63031. I fell hard landing primarily on my left side, causing an avulsion of my left labrum and re-injuring my right shoulder by tearing my anterior labrum ripping it from the bone. My fall occurred approximately 25 feet into your store as I stepped off the carpeted entrance onto the tile flooring immediately in front of the greeting and gift card aisle. I fell as I responded to the "Welcome to Walgreens" greeting given by Michael your cashier. Michael witnessed my fall as well as several other patrons in the store that night. After being helped off the floor, I noticed that my pants and boots were now wet and dirty. It was clear that I'd fallen on some sort of wet substance on your floor. There were no "Caution Wet Floor" signs in the area.

Embarrassed and disoriented I walked to the toilet paper aisle and called my husband on my cell phone who was waiting for me in the car. I told him what'd just happened and asked him to come in. Concerned that I had re-injured myself we filled out an incident report with your store manager Stephen. I was advised by Stephen that he would be forwarding the surveillance tape and pictures of my accident with the report.

Later on that evening I was in a tremendous amount of pain from my neck, shoulders and arm. I had difficulty sleeping and I noticed a pronounced "clicking and catching in my shoulders whenever I tried to move or raise my arm. The next day, December 20, 2013 I went to Northwest Medical Center ER to have my left arm/ shoulder evaluated for possible broken bones, fracture etc. as this was the point of impact. I was advised by the ER doctor, Dr. Patel that my x-rays showed no fractures or breaks in the bone and that I should continue to put ice on my shoulder and that I should follow-up with my doctor.

Experiencing pain now in both shoulders I contacted my orthopedic doctor Jody Jachna to schedule a visit, however, due to the holiday season I was unable to get in to see him right away. I was seen in his office on January 9. 2014 during this visit I explained to Dr. Jachna that I had recently fallen in your store and was experiencing pain and catching in my shoulders. In the office he performed a series of range of motion, and strengthening tests. Based on these tests Dr. Jachna ordered MRI's on both shoulders to assess possible internal shoulder injury.

On January 20, 2014 at Metro Imaging I underwent a lengthy MRI session to assess both shoulders. The MRI revealed tears in both the left and right shoulders. I was completely devastated by this news, because I had just undergone a successful rotator cuff surgery and months physical therapy not less than a year ago on my right shoulder. (May 24, 2013)

On January 23, 2014 I met with Dr. Jachna to follow up on the results of my bilateral shoulder MRI. I was advised that the MRI showed tears in both shoulders. Hoping to avoid another painful surgery, I asked Dr.Jachna for possible alternative treatment, he suggested trying physical therapy for strength and stabilization for 6 weeks to see if symptoms relieve. I was then prescribed Celebrex (200mg) daily to help with pain and inflammation.

Unfortunately, due to increased pain during physical therapy, my visits ceased after a few weeks.

On March 24, 2014, I met again with Dr. Jachna to explain that the pain and clicking in my shoulders were only intensifying with therapy not getting better. Dr. Jachna decided that given my persistent symptoms and lack of response to conservative treatment, he would like to proceed with shoulder arthroscopy surgery. He decided to operate first on my right shoulder which was re-injured by falling in your store.

Unfortunately, because I had just started my new job (December 23, 2013) my surgery had to be postponed until I was eligible to take medical leave under short term disability. Without prior approval from the plan's administrator, I risked being terminated. Therefore, the earliest day my surgery could be scheduled was 7/2/2014.

The months leading up to my surgery were extremely difficult for me. As a newly hired employee still in my probationary period with the company, I was watched closely and expected to perform at my very best. This was often a difficult task for me due to sleepless nights, excruciating pain, and limited range of motion. I was forced to use all of my regular sick leave in just a few short months. I was also given a verbal warning for absences by my supervisor.

Finally on July 2, 2014, I was admitted to Saint Joseph's Hospital for surgery. After being placed under general anesthesia, I underwent another right shoulder arthroscopy for revision labral repair and sub acromial decompression. The fall in your store caused my right labral to be ripped from its underlying bone. Sutures from my previous surgery dated 5/24/2013 had to be removed to complete the repair of my labral, as well as three new drill holes to my glenoid rim to secure the anchors. The incisions made from the introduction of the arthroscope left visible permanent scarring also to my right shoulder.

After the surgery I was released from the hospital with 3 prescriptions for pain and stiffness; Oxycodone (325mg), Hydrocodone (325mg) and Flexiril (10mg). I was also given ice packaging and a sling. Due to an interscale block of my right shoulder prior to surgery, my arm was left feeling heavy and lifeless. Unfortunately, this numbness did not last, several hours later I was in indescribable pain. In the days and weeks following I relied heavily on my prescription Oxycodone and ice to dull the pain.

A month after my surgery I began physical therapy treatments on 8/5/2014 to regain movement and strength in my shoulder. My sessions were weekly, lasting two and a half months.

I returned to work, for a brief period of time, on 10/6/2014. I continued my strengthen exercises and stretches at home hoping to regain full mobility of my right shoulder ,however I still experience stiffness and weakness from time to time.

On 4/8/2015, I was admitted again to St. Joseph's medical center, this time for surgery on my left shoulder. I was again placed under general anesthesia with an interscalene block. Through arthroscope it was discovered that there was an avulsion (forced detachment) of my left labrum. My labrum was repaired by tying it down to its underlying bone using drill holes and suture anchors placed in my glenoid rim. I had significant inflammation of the bursa, so much so it had to be removed. Finally a bony acromioplasty was performed to prevent impingement, the catching or clicking sensation I was experiencing. Incisions from this surgery also left permanent scarring to my shoulders.

I was again released from the hospital with prescriptions Oxycodone(325mg), Hydrocodone (325mg) and Flexiril (10mg) or pain and muscle stiffness. I was also given ice packaging and a sling to prevent mobilization of my arm. Completely numb and lifeless from the interscalene block, my arm felt extremely heavy, however later on that evening, I was again in terrible pain, which only seemed to subside with sleep, a side effect of the Oxycodone.

Five weeks after surgery I began physical therapy treatments to regain movement and strength in the left shoulder and arm. I went to physical therapy weekly for a period of three months, and since then I've also been doing my daily exercises given to me by my physical therapist. Despite all of my therapy and exercises, I still have much less strength in my arm than before my fall.

The need to have two painful surgeries caused major disruptions of my daily life. Because of my surgeries I was unable to spend quality time with my three children over their summer vacation and spring breaks. I was restricted to my bed most days and nearly incoherent on pain medicine the whole time. Their days were spent tending to my every need while my husband worked. I was unable to bath myself, wash or comb my hair, go to the restroom alone, do household chores, cook dinner, drive, or dress myself. I was totally dependent on my children and my husband for all of my needs. Married for 20 years, this was an extremely difficult time for my husband as well, there was no "intimacy" between us for months following each of my surgeries due to the pain. This put a tremendous strain on our relationship. I was also scrutinized by new employer for having to take two leaves of absences so early into my employment.

LIABILITY

A few days after falling in your store, I went back to take pictures of the place I'd fallen. I was surprised to see that the tile on the floor was discolored, water stained and cracked. It was clear that this was a place where water or some sort of wet substances had pooled before. (See attached pictures) Clearly it is the duty of store management and Walgreen's to see that floors are clean and free of debris for the safety of employees as well as store patrons. On the night of December 19, 2013 this was not done. It was not until after I'd fallen that management checked the flooring and placed the "Caution" sign in the area. My fall could have been prevented if management and Walgreen's had done their job of cleaning and repairing the flooring.

Falling in your store that night caused serious injury to my left shoulder and re-injury to my right. Both of my labrum were ripped from their underlying bone and required surgery to repair them. I have suffered tremendous pain and anxiety over this ordeal, and I am still experiencing some difficulty today specifically with my range of motion and reaching for things overhead and behind my back.

The cost of my medical treatment are as follows

TREATMENT	MEDICAL EXPENSES	LOSS OF WAGES
CHRISTIAN NE ER 12/20/13	2,225	
METRO IMAGING	1552	
SURGERY 7/2/14	13,591.41	
SURGERY 4/8/15	14,310.47	
PRESCRIPTION MEDS	329	
PHYSICAL THERAPY	7,157	
TOTAL	39,165	21,748.72

In addition I was unable to work a total of seven and a half months on a new job. My monthly salary is $2899.83 (See attached). I lost a total of **$ 21,748.72** in income ($2899.83 x 7.5)

I demand **$503,000** in compensation as a result.

It has been nearly two years since I fell in your store. I sincerely hope that we can resolve this matter amicably. However, if this matter is not settled by **December 19, 2015**, I will be forced to retain an attorney who will file a lawsuit against Walgreen's Stores to protect my legal interests. Thank you in advance your prompt attention in resolving this matter.

Sincerely,

Mrs. Nicole Childress